

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 11/26/2024

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A.A-B., individually and on behalf of N.B., a minor,

Plaintiff,

-against-

NEW YORK CITY DEPARTMENT OF
EDUCATION,

Defendant.

**ORDER TO SHOW
CAUSE FOR
PRELIMINARY
INJUNCTION AND
TEMPORARY
RESTRAINING ORDER**

Case No. 24 Civ. 8996

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Upon the annexed Complaint, dated November 22, 2024; Memorandum of Law dated November 22, 2024; Declaration of A.A-B., dated November 20, 2024; Declaration of Lauren Koffler, dated November 22, 2024; and the Declaration of Lesley Berson Mbaye, dated November 22, 2024 and the exhibits annexed thereto, it is ORDERED, that the above named defendant, NEW YORK CITY DEPARTMENT OF EDUCATION, show cause before a motion term of this Court, at the United States Courthouse, Southern District of New York, 500 Pearl Street, New York, New York, 10007 at Room 1106 on December 11, at 4:10 o'clock in the PM of that day, why a **TEMPORARY RESTRAINING ORDER and/or PRELIMINARY INJUNCTION** should not issue pursuant to Rule 65 of the Federal Rules of Civil Procedure and/or the Individuals with Disabilities Education Improvement Act, 20 U.S.C. §§ 1400, *et seq.*, and the regulations promulgated thereunder; 42 U.S.C. 1983; and/or Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794 - ordering the Defendant to immediately fund N.B.'s enrollment at Shrub Oak International School

during the pendency of Impartial Hearing no. 287949 before the New York City Office of Administrative Trials and Hearings, Special Education Hearings Division.

IT IS FURTHER ORDERED that service of this Order to Show Cause upon the Parties shall be complete upon the filing of this Order to Show Cause by the Court via Case Management/Electronic Case Filed (CM/ECF) and emailing a copy to ServiceECF@law.nyc.gov; and

IT IS FURTHER ORDERED that any papers in opposition to Plaintiffs' application for a temporary restraining order and preliminary injunctive shall be served by ECF and email on Plaintiffs' counsel, with a courtesy copy by email on this Court on December 4, 2024, and any Reply Papers shall be served by ECF and email on Defendant's Counsel, with a courtesy copy by email on this Court on December 9, 2024.

Dated: November 26, 2024

SO ORDERED:

A handwritten signature in blue ink, appearing to be 'J. M. ...', is written above a horizontal line.

United States District Judge